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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
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9 Dominick Cestro,

10 Plaintiff,

11 v.

12 Navajo County, et al.,

13 Defendants.
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No. CV-23-08608-PCT-JAT

ORDER

15 Pending before the Court is Plaintiff's motion to stay a case against him in
16 Snowflake Justice Court. (Doc. 14). It is the Court's understanding that the case pending
17 in state court is a traffic court case.

18 The *Younger* abstention doctrine provides that federal courts are not to interfere with
19 pending state criminal proceedings. *See Younger v. Harris*, 401 U.S. 37 (1971). This
20 abstention doctrine applies "not only when the pending state proceedings are criminal, but
21 also when certain civil proceedings are pending, if the State's interests in the proceeding
22 are so important that exercise of the federal judicial power would disregard the comity
23 between the States and the National Government." *Pennzoil Co. v. Texaco, Inc.*, 481 U.S.
24 1, 11 (1987); *see Middlesex County Ethics Comm. v. Garden State Bar Ass'n*, 457 U.S.
25 423, 431 (1982) ("*Younger v. Harris*[], and its progeny espouse a strong federal policy
26 against federal-court interference with pending state judicial proceedings absent
27 extraordinary circumstances.").

28 Applying the *Younger* abstention doctrine, this Court will not stay Plaintiff's case

1 in Arizona state (Snowflake) justice court.

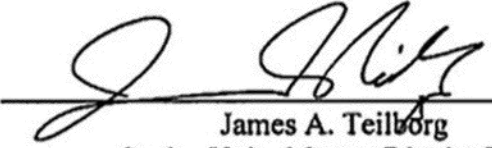
2 Additionally, as discussed in a prior order, Plaintiff has filed an amended complaint.
3 (Docs. 12, 13). Plaintiff has not yet served any Defendant named in the amended
4 complaint. The Court also cannot issue what would amount to a preliminary injunction
5 without notice to the Defendants. *See* Federal Rule of Civil Procedure 65(a)(1). Therefore,
6 Plaintiff must first serve the Defendants named in the amended complaint before any relief
7 can be obtained in this case.

8 For the foregoing reasons,

9 **IT IS ORDERED** that Plaintiff's motion to stay his state court case (Doc. 14) is
10 denied.

11 Dated this 15th day of March, 2024.

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James A. Teilborg
Senior United States District Judge